

**CRIMINAL DOCKET  
UNITED STATES DISTRICT COURT**

D. C. Form No. 100A Rev.

⑥

TITLE OF CASE	ATTORNEYS
<b>THE UNITED STATES</b>  <b>vs.</b>  Grover Spurgeon King    CLOSED	<i>For U. S.:</i> Hubert H. Bryant Assistant U. S. Attorney James E. Ritchie   <i>For Defendant:</i> William S. Dorman (Apptd.) NBT Building Tulsa, Oklahoma 74103 LV2-8201

STATISTICAL RECORD	COSTS		DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 2 mailed 10-2-67	Clerk					
J.S. 3 mailed 12-31-67	Marshal					
Violation Forged check in interstate commerce Title 18	Docket fee					
Sec. 2314 and 2						

DATE	PROCEEDINGS
9-14-67	Indictment, filed in open Court. b
9-14-67	Record vote of the grand jury, filed in open Court. b
9-14-67	Bond of the defendant, in the sum of \$1,000.00, filed; surety - Arthur D. King. b
9-14-67	Order specifying methods and conditions of release, filed.
9-22-67	Defendant's motion for bill of particulars, filed. b
9-22-67	Defendant's petition for permission to interview witnesses, filed. b
9-26-67	Defendant present in person and represented. Defendant arraigned, receives copy of Indictment, waives reading and enters plea of NOT GUILTY. Defendant's motion for Bill of Particular and Petition for permission to interview witness, passed for hearing on 9-29-67
	Defendant's motion under Rule 16(a) and (b) filed in open court, and to be heard 9-29-67. Case set for Jury Trial on Monday 10-16-67 at 9:30 A.M. (AEB-J)h
9-29-67	Memorandum filed by U.S.A. h
9-29-67	Memorandum in support of denial for interview filed. h
9-29-67	Hearing held on motions. Defendant present in person and represented. Court orders that defendant's motions for Bill of Particular and Petition for permission to interview witness are overruled.

DATE	PROCEEDINGS
10-2-67	Defendant's motion under Rule 16(a) and (b) granted <del>in-part</del> . Govern- ment granted 3 days to prepare proper order. (Allen E. Barrow-Judge)h Order filed that defendant's motion for a Bill of Particulars and Petition for permission to interview witness overruled; and defendant's motion under Rule 16 is sustained. (Allen E. Barrow-Judge)h
10-5-67	Application for issuance of subpoena filed. h
10-10-67	Response to Motion under Rule 16, filed. e
10-10-67	Order that subpoena issue to Margie Ames, Route 1, Chouteau, Okla., to appear 10-16-67 at 9:30 A. M., at the expense of the government, filed. (Allen E. Barrow - Judge) n
10-11-67	Petition for writ of habeas corpus ad testificandum, filed. ds
10-11-67	Order granting writ of habeas corpus ad testificandum, filed. (AEB-J) ds
10-13-67	Defendant's motion to suppress, filed. ds
10-13-67	Brief in support of motion to suppress, filed. ds
10-16-67	Case called for jury trial. Court orders that this case stricken from docket of this date and reset for jury trial on Tuesday, 10-17-67 at 9:30 A.M. before Judge Daugherty. (Allen E. Barrow-Judge)h
10-17-67	Hearing held on motion of defendant to suppress. Court finds that the defen- dant Grover Spurgeon King made statements after advised of his rights and that the defendant's motion to suppress is denied. Plaintiff granted leave to withdraw exhibits and trial of case passed until Thursday, October 19, 1967 at 9:30 A. M. (Fred Daugherty - Judge) (Lee Cook-CSR) b
10-17-67	Governments exhibits, filed. b
10-20-67	Return on subpoena to testify, filed. Served Jack N. Henry at Dallas Texas, on 10-10-67. 2.72 Served Benny Talkington at Dallas, Texas, on 10-11-67. \$3.68. Served Margie Ames at Chouteau, Okla, on 10-6-67. \$10.64. Served Margie Ames at Chouteau, Okla, on 10-12-67. \$11.60. Served Otis Wayne Hunt, at Chouteau, Okla, on 10-10-67. \$12.00. ds
10-19-67	Case tried to a jury on October 19 and 20, 1967. Jury returns with verdict finding defendant, Grover Spurgeon King GUILTY. Verdict ordered received, read and filed in open Court. Jury discharged. It is adjudged that the defendant is GUILTY as charged and sentence is passed pending probation officer's report and he is released on his present bond. Government granted permission to withdraw exhibits and furnish photo copies thereof. (Fred Daugherty - Judge) (Lee Cook-CSR) b
10-20-67	Trial exhibits, filed in open Court. (Govt's 1 to 6 incl.) b
10-20-67	Verdict filed in open Court. b
10-25-67	Ordered by the Court that the defendant is granted 5 additional days within which to file a motion for a new trial. (Fred Daugherty -Judge) b
11-1-67	Defendant's motion for new trial, with affidavits of Johnny E. Duke and William S. Dorman, attached, filed. b <i>mailed 11-1</i>
11-1-67	Defendant's brief in support of motion for new trial, filed. b <i>mailed 11-1</i>
11-9-67	Ordered by the Court that this case is set for hearing defendant's motion for new trial and sentencing on Monday, December 11, 1967 at 11:30 A. M. (Fred Daugherty - Judge) b
12-8-67	Plaintiff's Response to Motion for New Trial filed. w
12-12-67	Writ of Habeas Corpus ad testificandum, returned and filed: Wm. Dufort Pack delivered from Corpus Christi, Texas to Houston, Texas on 10-12-67; delivered from Houston to Tulsa, Oklahoma, on 10-14-67. g
12-11-67	Hearing held on defendant's motion for new trial, and acquittal; overruled. Defendant adjudged GUILTY as charged.
	Judgment and Sentence- Grover Spurgeon King
	Atty Gen- One (1) year. (Fred Daugherty-Judge)h
12-11-67	Order of J& C filed and entered. (FD-J)h
12-11-67	Two c.c. of J&C delivered to USM. h

DATE	PROCEEDINGS	Date Order or Judgment Noted
12-14-67	Petition and affidavit for leave to proceed in forma pauperis, filed. e	
12-14-67	Order granting defendant leave to prosecute appeal in forma pauperis filed. (FD-J) e	
12-14-67	Appeal bond fixed in the sum of \$2,000.00 cash. (FD-J) e	
12-18-67	Notice of Appeal, filed. ds. Cpy mailed to US Atty. g	
12-20-67	Affidavit of Rex L. Fitch, filed. e	
1-8-68	Defendant's motion and brief for reduction of bail or bond, filed.	
1-8-68	Order filed, that the \$2000.00 cash appeal bond be changed and modified to an appeal bond in the sum of \$2,000.00 in cash or by surety, on the condition that the defendant not leave the State of Oklahoma without the permission of the chief probation officer for NDO. (Fred Daugherty-Judge)	
1-10-68	Copies of the above order mailed to counsel. b	
1-10-68	Appeal bond in the amount of \$2,000.00, Ajax Bonding Company, Surety, filed. w	
1-10-68	Order Specifying Methods and Conditions of Release, filed. w	
1-19-68	Reporter's transcript (original + 2 copies) of arraignment proceedings on 9-26-67, filed. g (Larry Marks)	
1-22-68	Reporter's transcript (original + 2 copies) of hearing on various motions, filed. g (Larry Marks, Rptr)	
2-2-68	Order of 1-27-68 extending time to 2-29-68 in which to docket appeal, filed. (FD-Judge)g	
3-4-68	Order of 2-27-68, filed - extending time to 3-31-68 in which to docket appeal. (Fred Daugherty - Judge) Copies mailed counsel	
4-1-68	Order filed extending time to April 30, 1968, to file and docket appeal in this case. (Fred Daugherty - Judge) b	
4-16-68	Transcript of trial proceedings on 10-19-67, filed. (Lee Cook, CSR)g	
4-29-68	Transcript of hearing on motion for new trial and sentencing, filed. (Lee Cook, CSR)	
4-29-68	Statement of Clerk that record contains 275 pages, filed. g	
4-29-68	Certificate of counsel for appellant that record is complete, filed. g	
4-29-68	Certified transcript of documents in lieu of appeal record sent to USCA, Denver. g	
6-19-68	Stipulation re closing arguments, filed. b	
6-19-68	Order that closing arguments be transcribed and forwarded to USCofA Tenth Circuit as supplemental record pursuant to the order granting leave to prosecute appeal in forma pauperis filed 12-14-67. (Fred Daugherty-Judge)	
7-2-68	Court Reporter's transcript of oral arguments, filed. (Lee Cook, Rptr.)g	
7-2-68	Supplemental transcript of oral arguments forwarded to USCA. g	
12-23-68	Cc order of USCofA remanding cause with instructions to enter an appropriate order abating judgment and sentence and verdict of guilty, filed. e	
2-17-69	Order, filed, judgment & sentence & verdict of guilty be abated, (FD-J). js	
7-3-69	Return on J&C, filed. Returned unserved as deft. is deceased. m	

DATE	PROCEEDINGS	Date Order or Judgment Noted

UNITED STATES COMMISSIONER  
Northern DISTRICT OF Oklahoma.

RECORD OF PROCEEDINGS IN CRIMINAL CASES

BEFORE MILAM M. EWING FEDERAL BUILDING, TULSA, OKLAHOMA.  
(Name of commissioner) (Address)

COMMISSIONER'S DOCKET NO. 1 CASE NO. 826  
THE UNITED STATES  
vs.  
GROVER SPURGEON KING (22)  
Complaint filed on Aug. 24, 1967, by Sean M. McWeeney  
Official title Spec. Agt. F.B.I. charging violation of  
United States Code, Title 18, Section 2314, on Apr. 20,  
19 67, at Chouteau, Okla. in the  
division of the Northern district of Oklahoma.  
as follows: caused to be transported in interstate  
commerce a forged check to wit: dated 4-20-67, am't.  
\$50.00, payable to Bill Pack signed Jack N. Henry,  
endorsed Bill Pack, Drawn on Hillcrest State Bank,  
Dallas, Tex., cashed at D.W. Ames Service Station,  
Chouteau, Okla. knowing same to have been fraudulent  
(Here insert brief summary of facts constituting offense charged)

WARRANTS OR SUMMONS ISSUED:  
Date Aug. 24, 1967 Warrant/Summons for Grover Spurgeon King,  
(Name of defendant)  
to (name and title of officer) To Any U. S. Marshal or Any Authorized U.S. Officer:  
Substance of return Arrested by: Doyle Foreman, U.S. Marshal  
Date Warrant/Summons for  
to (name and title of officer)  
Substance of return  
NOBLE C. HOOD

PROCEEDINGS ON FIRST PRESENTATION OF ACCUSED TO COMMISSIONER: Ewing Clerk, U. S. District Court  
Date Aug. 29, 1967 Arrested by Doyle Foreman, U.S.M. { on warrant of Charles F. Burns  
U.S. Commissioner, Miami, Okla  
without warrant.  
Appearances { for United States (Name) (Address)  
for accused (Name) (Address)  
Proceedings taken Above def't. presented, advised of charge filed against him,  
(Here insert with dates, when appropriate, a serialim account of essential steps taken at hearing such as "complaint prepared,"  
his right to counsel and a preliminary hearing. He waived counsel for the pur-  
if arrest is without warrant: "defendant informed of complaint and right to retain counsel and preliminary hearing": "preliminary examination waived,"  
pose of this hearing and signed WAIVER. Preliminary hearing requested and set  
if that is the fact; any adjournments taken, etc.  
for Sept. 1, 1967 @ 10:00 A. M. Def't. advised bond fixed at \$1000.00 and  
upon his failure to post bond he was remanded to custody of U.S. Marshal.

Outcome  
Bail fixed Aug. 29, 1967 Amount, \$ 1000.00 Bonded Aug. 30, 1967, 19, by cash  
deposited by (name) Address  
transmitted to clerk of district court (name) Arthur D. King, Address Rt. 1, Pryor, Oklahoma.  
(name) Address  
justified by affidavit dated Aug. 30, 1967, [or] committed to Tulsa County Jail  
on Aug. 29, 1967

SUBPOENAS FOR WITNESSES ISSUED:

....., 19....., for (name of witness).....  
 at request of (name of party).....  
 Substance of return.....

....., 19....., for (name of witness).....  
 at request of (name of party).....  
 Substance of return.....

....., 19....., for (name of witness).....  
 at request of (name of party).....  
 Substance of return.....

PRELIMINARY EXAMINATION:

(Not to be used if case was disposed of at first presentation)

Date Sept. 1, 1967 Appearances for

{	United States	(Name)	<u>Hubert Bryant, U.S. Asst. Atty.</u>
		(Address)	<u>Tulsa, Okla.</u>
	Accused	(Name)	<u>Wm. S. Dorman, Atty</u>
		(Address)	<u>Tulsa, Okla.</u>

WITNESSES FOR UNITED STATES: (List names and addresses)

Sean M. McWeeney, Spec. Agt. F.B.I.

WITNESSES FOR ACCUSED: (List names and addresses)

None

Witness payroll containing..... names certified to United States Marshal for payment....., 19.....  
 Proceedings taken.....

Defendant present and represented by counsel. He was informed of his constitutional rights. Witness sworn and examined in open court. Probable cause found to hold defendant for Court Action. Bond to remain same, \$1000.00 and def't. having posted bond on August 30, 1967, he was released on former bond.

Outcome Held for Court Action.

Bail fixed 8-29-67, 19..... Amount, \$1000.00 Bonded 8-30-67, 19....., by cash deposited by (name)..... Address.....  
 transmitted to clerk of district court....., 19.....  
 [or] by surety (names) Arthur D. King Address Rt. 1, Pryor, Okla. 74361  
 and..... Address.....  
 who justified by affidavit Aug. 30, 1967, 19..... Committed to.....  
 on....., 19.....

Certified to be a correct transcript.

Made this 1st day of Sept., 19 67

Transmitted to Clerk of United States District Court for the Northern district of Oklahoma, Sept. 1, 19 67

*M. M. Ewing*

United States Commissioner.